

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.24318 OF 2005

DATED:15.11.2005

Between:

Syed Azamuddin

...Petitioner

And

The Commissioner,

Municipal Corporation of Hyderabad

Hyderabad and another

...Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.24318 OF 2005

ORDER:

The petitioner's father allegedly purchased an extent of 301 Sq.yards in premises No.20-4-214, at Punch Mohalla, Moti Galli, Hyderabad, in 1991. As his father is staying in Oman, the petitioner statedly taking care of the property. Be that as it is, the Municipal Corporation of Hyderabad (MCH) issued a letter on 24.11.2003 to the petitioner informing that the road from Punch Mohalla to Moti Galli is proposed to be widened to forty (40) feet as per Zonal Development Plan, that an extent of eleven (11) Sq.yards in premises No.20-2-214 is going to be affected and therefore the petitioner was requested to cooperate and give consent in public interest. The petitioner or his father did not give any consent. But, curiously, they waited two long years and now filed present Writ Petition alleging that employees of MCH are

threatening to forcibly demolish the premises. Therefore, the petitioner filed the present Writ Petition.

Admittedly, a notice was issued by MCH on 24.11.2003. The petitioner or his father did not respond to the same at that time. Now, suddenly, the petitioner alleges that there is threat of demolition. This is denied by the learned Standing Counsel for MCH. Therefore, the Writ Petition is dismissed with an observation that if the petitioner's land is to be acquired for road widening, the MCH is at liberty either to follow the procedure under Section 146 or Section 147 of the Hyderabad Municipal Corporation Act, 1955.

The Writ Petition is accordingly dismissed.

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(V.V.S.RAO, J)

15.11.2005

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